

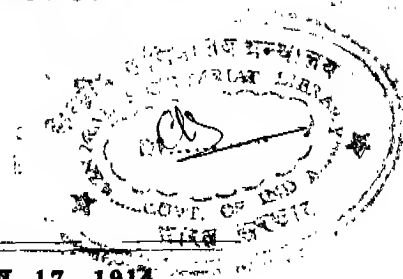


भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 1
PART II—Section 1

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY



सं. 11] नई दिल्ली, बुधवार, जनवरी 7, 1993/पौष 17, 1914
No. 11] NEW DELHI, THURSDAY, JANUARY 7, 1993/PAUSA 17, 1914

इस भाग में भिन्न-भिन्न संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 7th January, 1993/Pausa 17, 1914 (Saka)

THE ACQUISITION OF CERTAIN AREA AT AYODHYA ORDINANCE, 1993

No. 8 OF 1993

Promulgated by the President in the Forty-third Year of the
Republic of India.

An Ordinance to provide for the acquisition of certain area
at Ayodhya and for matters connected therewith or incidental
thereto.

WHEREAS there has been a long-standing dispute relating to the structure
(including the premises of the inner and outer courtyards of such structure),
commonly known as the Ram Janma Bhumi-Babri Masjid, situated in village
Kot Ramchandra in Ayodhya, in Pargana Haveli Avadh, in tehsil Faizabad
Sadar, in the district of Faizabad of the State of Uttar Pradesh;

AND WHEREAS the said dispute has affected the maintenance of public
order and harmony between different communities in the country;

AND WHEREAS it is necessary to maintain public order and to promote
communal harmony and the spirit of common brotherhood amongst the people
of India;

AND WHEREAS with a view to achieving the aforesaid objectives, it is
necessary to acquire certain areas in Ayodhya;

AND WHEREAS Parliament is not in session and the President is satisfied
that circumstances exist which render it necessary for him to take immediate
action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

CHAPTER I

PRELIMINARY

Short title
and com-
mence-
ment.

1. (1) This Ordinance may be called the Acquisition of Certain Area at Ayodhya Ordinance, 1993.

(2) It shall come into force at once.

Defini-
tions.

2. In this Ordinance, unless the context otherwise requires,—

(a) "area" means the area (including all the buildings, structures or other properties comprised therein) specified in the Schedule;

(b) "authorised person" means a person or body of person or trustees of any trust authorised by the Central Government under section 7;

(c) "Claims Commissioner" means the Claims Commissioner appointed under sub-section (2) of section 8;

(d) "prescribed" means prescribed by rules made under this Ordinance.

CHAPTER II

ACQUISITION OF THE AREA IN AYODHYA

Acquisi-
tion of
rights in
respect
of certain
area.

3. On and from the commencement of this Ordinance, the right, title and interest in relation to the area shall, by virtue of this Ordinance, stand transferred to, and vest in, the Central Government.

General
effect of
vesting.

4. (1) The area shall be deemed to include all assets, rights, leaseholds, powers, authority and privileges and all property, movable and immovable, including lands, buildings, structures, shops of whatever nature or other properties and all other rights and interests in, or arising out of, such properties as were immediately before the commencement of this Ordinance in the ownership, possession, power or control of any person or the State Government of Uttar Pradesh, as the case may be, and all registers, maps, plans, drawings and other documents of whatever nature relating thereto.

(2) All properties aforesaid which have vested in the Central Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other encumbrances affecting them and any attachment, injunction, decree or order of any court or tribunal or other authority restricting the use of such properties in any manner or appointing any receiver in respect of the whole or any part of such properties shall cease to have any effect.

(3) If, on the commencement of this Ordinance, any suit, appeal or other proceeding in respect of the right, title and interest relating to any property which has vested in the Central Government under section 3, is pending before any court, tribunal or other authority, the same shall abate.

5. (1) The Central Government may take all necessary steps to secure possession of the area which is vested in that Government under section 3.

(2) On the vesting of the area in the Central Government under section 3, the person or State Government of Uttar Pradesh, as the case may be, in charge of the management of the area immediately before such vesting shall be bound to deliver to the Central Government or the authorised person, all assets, registers and other documents in their custody relating to such vesting or where it is not practicable to deliver such registers or documents, the copies of such registers or documents authenticated in the prescribed manner.

Duty of person or State Government in charge of the management of the area to deliver all assets, etc.

6. (1) Notwithstanding anything contained in sections 3, 4, 5 and 7, the Central Government may, if it is satisfied that any authority or other body, or trustees of any trust, set up on or after the commencement of this Ordinance is or are willing to comply with such terms and conditions as that Government may think fit to impose, direct by notification in the Official Gazette, that the right, title and interest or any of them in relation to the area or any part thereof, instead of continuing to vest in the Central Government, vest in that authority or body or trustees of that trust either on the date of the notification or on such later date as may be specified in the notification.

Power of Central Government to direct vesting of the area in another authority or body or trust.

(2) When any right, title and interest in relation to the area or part thereof vest in the authority or body or trustees referred to in sub-section (1), such rights of the Central Government in relation to such area or part thereof, shall, on and from the date of such vesting, be deemed to have become the rights of that authority or body or trustees of that trust.

(3) The provisions of sections 4, 5, 7 and 11 shall, so far as may be, apply, in relation to such authority or body or trustees as they apply in relation to the Central Government and for this purpose references therein to the "Central Government" shall be construed as references to such authority or body or trustees.

CHAPTER III

MANAGEMENT AND ADMINISTRATION OF PROPERTY

7. (1) Notwithstanding anything contained in any contract or instrument or order of any court, tribunal or other authority to the contrary, on and from the commencement of this Ordinance, the property vested in the Central Government under section 3 shall be managed by the Central Government or by a person or body of persons or trustees of any trust authorised by that Government in this behalf.

Management of property by Government.

(2) In managing the property vested in the Central Government under section 3, the Central Government or the authorised person shall ensure that the position existing before the commencement of this Ordinance in the area on which the structure (including the premises of the inner and outer courtyards of such structure), commonly known as the Ram Janma Bhumi-Babri Masjid, stood in village Kot Ramchandra in Ayodhya, in Pargana Haveli Ayadh, in tehsil Faizabad Sadar, in the district of Faizabad of the State of Uttar Pradesh is maintained.

CHAPTER IV

MISCELLANEOUS

Payment
of
amount.

8. (1) The owner of any land, building, structure or other property comprised in the area shall be given by the Central Government, for the transfer to and vesting in that Government under section 3 of that land, building, structure or other property, in cash an amount equivalent to the market value of the land, building, structure or other property.

(2) The Central Government shall, for the purpose of deciding the claim of the owner or any person having a claim against the owner under sub-section (1), by notification in the Official Gazette, appoint a Claims Commissioner.

(3) The Claims Commissioner shall regulate his own procedure for receiving and deciding the claims.

(4) The owner or any person having a claim against the owner may make a claim to the Claims Commissioner within a period of ninety days from the date of commencement of this Ordinance.

Provided that if the Claims Commissioner is satisfied that the claimant was prevented by sufficient cause from preferring the claim within the said period of ninety days, the Claims Commissioner may entertain the claim within a further period of ninety days and not thereafter.

Ordinance
to over-
ride all
other
enactments.

9. The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any law other than this Ordinance or any decree or order of any court, tribunal or other authority.

Penalties.

10. Any person who is in charge of the management of the area and fails to deliver to the Central Government or the authorised person any asset, register or other document in his custody relating to such area or, as the case may be, authenticated copies of such register or document, shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to ten thousand rupees, or with both.

Protection
of action
taken in
good
faith.

11. No suit, prosecution or other legal proceeding shall lie against the Central Government or the authorised person or any of the officers or other employees of that Government or the authorised person for anything which is in good faith done or intended to be done under this Ordinance.

Power to
make
rules.

12. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Ordinance.

(2) Every rule made by the Central Government under this Ordinance shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE SCHEDULE

[See Section 2(a)]

DESCRIPTION OF THE AREA

Sl. No.	Name of Village/ Pargana/Tehsil/ District/State	Plot No.	Area to be acquired			
			Bigha	Biswa	Biswansi	Kuch
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Village Kot Ramchandra, Pargana Haveli Avadh, tehsil Faizabad Sadar, District Faizabad, Uttar Pradesh.	143	0	9	0	
		144	0	7	0	
		145	0	8	0	
		146	1	6	7	
		147 (part) Bounded by plot No. 146 on South, plot No. 143 on West and Road/plot No. 142 on North.	2	14	0	
		158	0	4	0	
		159	0	13	0	
		160	3	11	4	6
		161	0	18	0	
		162	1	8	7	
		168	1	2	0	
		169	1	7	0	
		170	0	8	0	
		171	1	7	0	
		172	2	7	0	
		173	0	18	0	
		174	0	3	0	
		175	0	6	0	
		176	1	2	0	
		177	0	16	0	
		178	0	10	0	
		179	0	14	0	
		180	0	14	5	
		181	0	13	10	
		182	0	7	5	
		183	0	7	5	
		184	0	6	0	
		185	0	7	5	
		186	0	6	10	
		187	0	7	0	
		188	0	18	15	

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		189	0	14	0	
		190	0	4	0	
		191	4	6	14	
		192	0	7	0	
		193	0	12	0	
		194	4	19	0	
		195	0	5	0	
		196	0	5	0	
		197	0	5	0	
		198	0	3	0	
		199	0	12	0	
		200	2	0	0	
		204 (part)	0	3	0	
		Bounded by plot No. 222 on South, plot No. 205 on West and plot No. 231 on East.				
		205	0	10	0	
		206	0	5	0	
		207	0	19	0	
		208	0	5	0	
		209	1	11	0	
		210	0	8	0	
		211	0	13	0	
		212	0	4	14	
		213	1	19	15	
		214	0	6	0	
		215	0	2	5	
		216	0	6	0	
		217	0	11	0	
		218	0	3	0	
		219	1	6	5	
		220	0	12	0	
		221	1	2	15	
		222	0	5	7	
		223	5	6	0	
		224	1	0	0	
		225	0	11	15	
		226	0	10	5	
		227	0	7	5	

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		228	0	5	0	
		229	0	11	10	
		230	0	2	10	
		231	1	1	10	
		232	0	2	0	
		233	0	2	0	
		234	1	12	0	
		235	0	10	0	
		236	0	4	0	
		237	0	1	0	
		238	1	6	0	
		239	2	1	0	
		242	1	0	0	
		244	0	14	10	
		246 (part)	0	18	0	

Bounded by plot No.
238 on the South,
plot No. 239 on the
West and plot No.
244 on the North.

71	18	3	6
----	----	---	---

2. Village Avadhkhas,
Pargana Haveli
Avadh, tehsil
Faizabad Sadar,
District Faizabad,
Uttar Pradesh.

1104	0	11	17
1105	0	7	14
1106	0	6	2
1107	0	14	14
1108	0	4	3
1109	0	3	0
1110	0	4	5
1111	0	12	15
1112	0	5	8
1113	0	5	10
1114	0	0	10
1115	0	1	10
1116	0	3	10
1117	0	9	12
1118	1	1	17
1119	0	7	14
1120	0	13	15

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		1121	0	3	0	
		1122	0	8	0	
		1123	0	8	0	
		1124	0	9	10	
		1125	0	6	6	
		1126	0	4	15	
		1127	0	11	4	
		1128	1	12	6	
		1129	0	5	9	
		1130	0	5	0	
		1132	1	3	5	
		1133	0	4	15	
		1134	0	4	0	
		1135	0	1	0	
		1136	0	9	0	
		1143	0	4	5	
		1144	0	5	15	
		1145	0	0	15	
		1146	0	3	0	
		1147	0	5	0	
		1148	0	7	15	
		1149	0	6	10	
		1166	0	6	0	
		(part) Bounded by plot No. 1203 on East, plot No. 1151 on West and plot No. 1167 on South.				
		1206	0	7	0	
		1210	0	1	5	
		1211	0	2	5	
		1212	0	11	5	
		1213	0	2	10	
		1214	0	7	0	
		1215	0	0	15	
		1216	0	0	15	
		1217	0	3	5	
		1218	0	4	10	
		1219	0	5	0	
		1220	0	7	5	
		1221	0	11	10	

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		1222	0	4	0	
		1223	0	1	15	
		1225	0	12	15	
		1226	0	8	10	
		1227	0	7	15	
		1228	0	4	15	
		1229	0	1	0	
		1230	0	13	5	
		1231	0	7	5	
		1232	0	1	6	
		1233	0	4	15	
		1234	0	7	5	
		1235	0	1	6	
		1236	0	2	5	
		1237	0	9	10	
		1238	0	1	18	
		1239	0	1	10	
		1240	0	8	15	
		1241	0	1	10	
		1242	0	1	15	
		1243	0	2	0	
		1247	0	5	0	
		(part)				
		Bounded by plot No. 1248 on North, plot No. 1246 on South and plot No. 1291 on East/Road.				
		1248	1	7	10	
		1249	0	0	13	
		1250	0	7	7	
		1251	0	8	0	
		1252	0	9	0	
		1253	0	12	10	
		1254	0	4	0	
		1255	0	2	0	
		1256	0	2	0	
		1257	0	2	10	
		1258	0	2	5	
		1259	0	1	10	
			27	00	11	

(1)	(2)	(3)	(4)	(5)	(6)	(7)
3.	Village Jalwanpur. Pargana Haveli Awadh, tehsil Faizabad Sadar, District Faizabad, Uttar Pradesh.	1	0	3	5	
		2	1	1	0	
		3	0	0	5	
		4	1	9	15	
		5	0	0	10	
		6	0	19	0	
		7	0	2	15	
		8	0	4	15	
		9	0	10	10	
		10	0	0	10	
		11	0	3	0	
		12	0	14	5	
		13	0	10	0	
		14	0	0	10	
		15	0	15	15	
		16	0	8	15	
		17	0	3	15	
		18	0	6	5	
		19	0	7	5	
		27	1	6	0	
				7	15	

SHANKER DAYAL SHARMA,
President.

A. C. C. UNNI,
Additional Secretary to the Govt. of India.